

May 7, 2003 BZA



REQUEST ANALYSIS
AND
RECOMMENDATION

03AN0254

Alfred Williams and Nancy New

Dale Magisterial District
8703 Green Cedar Court

REQUEST: An eight (8) foot Variance to the eighty (80) foot front yard setback requirement for a detached accessory building.

RECOMMENDATION

Recommend denial of this Variance for the following reasons:

- A. Staff finds there are no extraordinary circumstances or conditions applying to this property which do not apply generally to all other properties in the immediate area.
- B. The applicants have provided no information that there are such unusual circumstances about this property that adherence to the required setback would cause undue hardship.

GENERAL INFORMATION

Location:

Property is known as 8703 Green Cedar Court. Tax ID 781-670-9618 (Sheet 18).

Existing Zoning:

R-7

Size:

.487 acre

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Existing Land Use:

Residential

Adjacent Zoning and Land Use:

North - R-7; Residential
South - R-7; Residential
East - R-7; Residential
West - R-7; Residential

Utilities:

Public water and sewer

Transportation:

This request should have no impact on the traffic pattern in this area.

General Plan:

(Central Area Land Use and Transportation Plan)	Residential (1.00 to 2.5 units per acre)
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DISCUSSION

The applicants are proposing to construct a detached accessory building seventy-two (72) feet from the front yard property line. The Zoning Ordinance requires an eighty (80) foot front yard setback. Therefore, the applicants request an eight (8) foot Variance (see attached survey plat).

The applicants provide the following justification in support of this request:

The proposed accessory building is to be used for storage of vehicle and yard equipment. The proposed building will be in line with the existing garage and will be aesthetically consistent with existing neighborhood structures.

Staff notes the subject property is located in the Treemont Subdivision, a well established development.

Staff has reviewed the attached site plan and application. The applicant has indicated there is already a one (1) story detached garage located to the north of the dwelling. The applicants are proposing to construct an eighteen (18) by twenty-four (24) foot accessory building to the left of the existing garage.

As required by the Zoning Ordinance, the applicants have provided no information which would serve as a basis for granting this Variance. Specifically, the addition could be reoriented or redesigned to meet the setback requirements, thus eliminating the need for this Variance request.

Staff finds no conditions upon which this request is based which are unique to the property and do not apply generally to other properties in the area.

Because an alternative exists and because the applicants have not provided evidence of a unique hardship, staff cannot support this request.

However, if the Board feels that this request has merit, staff recommends that it be subject to the following condition:

CONDITION

This Variance shall be for the proposed detached accessory building as depicted on the plat attached to staff's report.



